UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

CAREER SYSTEMS DEVELOPMENT CORPORATION

and

Case 1-CA-046727

MAINE EDUCATION ASSOCIATION

ORDER DENYING MOTION

The Charging Party's Motion for Summary Judgment, which is supported by the Region, is denied. The Charging Party and the Region have failed to establish that there are no genuine issues of material fact warranting a hearing, and that they are entitled to judgment as a matter of law. Specifically, we find that the complaint is ambiguous as to whether it is alleging a violation regarding the failure to bargain over the *decision* to layoff employees or the *effects* of that decision; that the Region's motion in support of the Charging Party's motion and the Region's reply to the Notice to Show Cause appear to advance inconsistent positions with respect to the nature of the alleged violation; and that the remedy sought by the Region in its reply to the Notice to Show Cause appears to be inconsistent with the nature of the allegation as set forth therein.

Dated, Washington, D.C. January 23, 2012

MARK GASTON PEARCE. CHAIRMAN

BRIAN E. HAYES . MEMBER

RICHARD F. GRIFFIN, Jr. MEMBER